IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19365 of 2004

Between:

Repaka Venkata Ramana Murthy, s/o late Satyanarayana,
R/O Golla Veedhi, Dharmavaram, S.Kota Mandal,
Vizianagaram.

..... PETITIONER

AND

1. The Chief Engineer, Electricity (Operations),
A.P.E.P.D.C.L.,Srikakulam District.
2. The Superintending Engineer (Assessments), A.P.E.P.D.C.L.,
Visakhapatnam.
3. The Assistant Divisional Engineer (Operations), S.Kota, A.P.Transco,
Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly in the nature of mandamus declaring the impugned inaction of first respondent in not commencing the enquiry to dispose of appeal dt.16-10-03 against the final
assessment order/s of second respondent vide Proc.No.SAT/10203/VZM/D-S.Kota/P/F.400/D.No.902, dt.25-8-03 for alleged pilferage in the absence of meddling seals, as illegal, arbitrary, discriminatory and violative of fundamental rights u/arts.14, 19, 21 of the Constitution of India and principles of natural justice, to set aside the same.

Counsel for the Petitioner:MR.M.PRAVEEN KUMAR

Counsel for the Respondents: MR.KANAKAMEDALA RAVINDRA KUMAR

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner and Sri M.Subba Rao, learned counsel for the respondents.

This writ petition is filed aggrieved by the inaction on the part of the first respondent in disposing of the appeal preferred by the petitioner against the final assessment order dated 25.08.2003.

Having regard to the facts and circumstances of the case, the writ petition is disposed of with a direction to the first respondent to dispose of the Appeal, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. Needless to mention that the first respondent shall issue notice to the petitioner and dispose of the appeal after considering all the grounds urged by the petitioner.

Accordingly, the writ petition is disposed of. No costs.

_____

02-11-2004

sh

To

1. The Chief Engineer, Electricity (Operations),
A.P.E.P.D.C.L.,Srikakulam District.
2. The Superintending Engineer (Assessments), A.P.E.P.D.C.L.,
Visakhapatnam.
3. The Assistant Divisional Engineer (Operations), S.Kota, A.P.Transco,
Vizianagaram.

4. Two C.D. copies.